

AMENDED IN SENATE JUNE 21, 2010

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 315**

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**Introduced by Assembly Member De Leon**

February 18, 2009

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~~An act to add Section 8222.2 to the Education Code, relating to child care and development services. An act to add Section 33217 to the Public Resources Code, relating to public resources.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 315, as amended, De Leon. ~~Child care and development services: alternative payment programs. Public resources: Santa Monica Mountains Conservancy: Los Angeles River parkway projects.~~

*Existing law establishes the Santa Monica Mountains Conservancy in the Natural Resources Agency and specifies the authority and purposes of the conservancy.*

*This bill would require the conservancy to develop a feasibility study on or before June 30, 2011, for the creation of Los Angeles River Parkway projects in the Los Angeles State Historic Park and Rio de Los Angeles State Park (Bowtie Parcel). The bill would require the conservancy to use existing budget resources and voluntary private and nonprofit resources when preparing the study, and to request voluntary cooperation of other governmental authorities with jurisdiction over the Los Angeles State Historic Park and Bowtie Parcel. The bill would*

*require the study to provide for, among other things, the acquisition of real property in and abutting the Los Angeles State Historic Park and the Bowtie Parcel, and the subsequent lease, rental, sale, or other transfer of that property for park purposes.*

~~The Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age. The act authorizes funds appropriated for purposes of the act to be used for alternative payment programs to allow for maximum parental choice.~~

~~This bill would require the department to consider developing guidelines for alternative payment programs on specified matters, including timeliness of payment to child care providers.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 33217 is added to the Public Resources*
- 2     *Code, to read:*
- 3         *33217. (a) On or before June 30, 2011, the conservancy shall*
- 4     *develop a feasibility study for the creation of Los Angeles River*
- 5     *parkway projects in the Los Angeles State Historic Park and Rio*
- 6     *de Los Angeles State Park (Bowtie Parcel). The study shall include,*
- 7     *but not be limited to, all of the following:*
- 8         *(1) Establish objectives for extending regional wildlife linkages*
- 9         *and exploring river recreational activities.*
- 10        *(2) Establish objectives for riparian habitat conservation, water*
- 11        *quality improvements, and in-channel reconfiguration.*
- 12        *(3) Analyze the potential of connecting Central High School*
- 13        *#13, which is expected to open in the Fall of 2011, to the Bowtie*
- 14        *Parcel.*
- 15        *(4) Analyze the potential of linking the network of parks and*
- 16        *local schools through trails, bikeways, nature kiosks, and user*
- 17        *access points.*
- 18        *(b) In preparing the study required by subdivision (a), the*
- 19        *conservancy shall use existing budget resources and voluntary*
- 20        *private and nonprofit local resources, and request voluntary*

1 cooperation of the other governmental authorities with jurisdiction  
2 over the Los Angeles State Historic Park and the Bowtie Parcel.

3 (c) The study required by subdivision (a) shall provide for both  
4 of the following:

5 (1) Acquisition of real property in and abutting the Los Angeles  
6 State Historic Park and the Bowtie Parcel, and the subsequent  
7 lease, rental, sale, or other transfer of that property for park  
8 purposes.

9 (2) A means by which to apply for grants or loans to purchase  
10 or restore park, recreation, conservation, or open-space  
11 opportunities in the Los Angeles State Historic Park and the Bowtie  
12 Parcel.

13 (d) The Legislature intends that at the beginning of its new  
14 charge to prepare a study pursuant to subdivision (a), the  
15 conservancy do so within its existing budgetary resources. As  
16 opportunities become available, the Legislature intends that the  
17 conservancy apply for grants described in paragraph (2) of  
18 subdivision (c). In instances when it cannot apply for grants due  
19 to ineligibility, the Legislature encourages the conservancy to  
20 partner with community-based organizations with an interest in  
21 seeing the establishment of the Los Angeles River parkway projects  
22 in the Los Angeles State Historic Park and the Bowtie Parcel.

23 (e) For purposes of this section, the following terms have the  
24 following meanings:

25 (1) “Los Angeles State Historic Park” means the 32 acres of  
26 open space directly adjacent to Chinatown and east of Elysian  
27 Park.

28 (2) “Rio de Los Angeles State Park (Bowtie Parcel)” means  
29 the 18.6 acres of undeveloped land directly adjacent to one of the  
30 few remaining soft-bottomed stretches of the Los Angeles River  
31 Channel and located within the 58-acre park along the Los Angeles  
32 River, north of downtown Los Angeles.

33 **SECTION 1.** ~~It is the Legislature’s intent to:~~

34 ~~(a) Eliminate late and inaccurate payments to child care~~  
35 ~~providers.~~

36 ~~(b) Eliminate ambiguities that have led to changing guidelines.~~

37 ~~(c) Eliminate insufficient communication about policies, and~~  
38 ~~the lack of a system that addresses child care provider payment~~  
39 ~~problems that has led to more experienced, quality providers~~  
40 ~~choosing not to accept subsidized children, thereby reducing~~

1 ~~parental choice and availability of care for families relying on the~~  
2 ~~subsidized child care system.~~

3 ~~(d) Create a uniform and timely system of payments to child~~  
4 ~~care providers by providing clear and consistent directives for~~  
5 ~~alternative payment programs.~~

6 ~~SEC. 2. Section 8222.2 is added to the Education Code, to~~  
7 ~~read:~~

8 ~~8222.2. In developing regulations on provider payments, the~~  
9 ~~department shall consider developing guidelines for alternative~~  
10 ~~payment programs on all of the following:~~

11 ~~(a) Timeliness of payments to child care providers.~~

12 ~~(b) Due process and complaint process.~~

13 ~~(c) Filling out attendance records.~~

14 ~~(d) Manner of issuing payments to child care providers, and~~  
15 ~~whether an alternative payment program may issue a single check~~  
16 ~~for multiple children.~~

17 ~~(e) Timeliness of notice to providers when a child is no longer~~  
18 ~~eligible to receive subsidies.~~

19 ~~(f) Administrative recourse and penalties for late payments to~~  
20 ~~child care providers. If a penalty is assessed against an alternative~~  
21 ~~payment program, the program shall use only administrative and~~  
22 ~~support service funds received pursuant to Section 8223 to pay the~~  
23 ~~penalty.~~